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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,154	09/24/2001	Olivier Hersent	NCX-001	6034

7590 08/10/2004

Patent Administrator  
Testa Hurwitz & Thibault  
High Street Tower  
125 High Street  
Boston, MA 02110

EXAMINER

NGUYEN, MIKE

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/868,154	Applicant(s) HERSENT, OLIVIER	
	Examiner Mike Nguyen	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2004.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 4 is/are rejected.
- 7) ☒ Claim(s) 2, 3 and 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

  
**FRITZ FLEMING**  
 PRIMARY EXAMINER  
 GROUP 2100

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>02/22/2002</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Notices & Remarks*

1. Claims 1-5 are pending for the examination.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Kumar et al. (U.S. Pat. No. 5,898,689).

As to claim 1, Kumar a device for processing a sequence of information packets (see fig. 2), comprising:

a packets memory organized as a stack (see col. 4 lines 16-50),

means for stowing away the packets of the sequence in association with respective processing labels (see col. 4 lines 16-50),

a plurality of processing modules (see col. 6 lines 7-21),

at least one label translation table (see col. 1 line 34 to col. 2 line 10),

means for extracting packets from the packets memory (see col. 3 lines 59-67),

and

supervisory means for receiving the processing label associated with each packet extracted from the packets memory and activating one of the processing modules selected

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as a function of the label received, the activated module being arranged to perform an elementary processing of the extracted packet (see col. 6 lines 7-21),

whereby the elementary processing performed by at least one of the processing modules comprises associating the extracted packet with a label modified in accordance with a labels translation table, the processed packet subsequently being stowed away again in the packets memory in association with the modified field (see col. 4 lines 51-65 and col. 7 lines 47-67).

As to claim 4, Kumar a method for processing a sequence of information packets (see figs 1, 2), comprising the steps of:

stowing away the packets of sequence in a packets memory organized as a stack, in association with respective processing labels (see col. 4 lines 16-50), and

examining the processing label associated with a packet extracted from the packets memory so as to activate a processing module selected as a function of the label received from among an assembly a plurality of processing modules, whereby the activated module performs an elementary processing of the packet extracted (see col. 6 lines 7-21),

wherein the elementary processing performed by at least one of the processing modules comprises associating the extracted packet with a label modified in accordance with a labels translation table, the processed packet subsequently being stowed away again in the packets memory in association with the modified label (see col. 4 lines 51-65 and col. 7 lines 47-67).

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*Allowable Subject Matter*

4. Claims 2-3 and 5 are objected to as being dependent upon a rejected base claims 1 and 4, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,584,103 B1 (Hanaoka et al.)

U.S. Pat. No. 5,546,387 (Larson et al.)

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Nguyen whose telephone number is 703 305-5040. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703 308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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Mike Nguyen  
Patent Examiner  
Group Art Unit 2182

08/05/2004

  
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